

(625.163CIP)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(3259.2615)

Applicant: Bin Chung et al

Paper No:

U.S.S.N: 08/823,411

Group Art Unit: 1714

Filed: March 25, 1997

Examiner: Michl, P.

Title: Novel Elastomer Composites Method and Apparatus

BATCH NO. B01RECEIVED
FEB 07 2000
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

EXPLANATORY DECLARATION UNDER 37 C.F.R. § 1.68Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Ting Wang, hereby declare as follows:

1. I am a named inventor of U.S. Patent Application Serial No. 08/942,449 filed on October 1, 1997 and originally entitled Novel Composite Blends and Methods II. (This patent application is referred to below as the "Patent Application").
2. In August 1999, I received a supplemental Declaration and Power of Attorney for Patent Application (that document is referred to below as the "Declaration") with a cover letter from Peter McDermott, an outside patent attorney hired by my employer, Cabot Corporation, the assignee of the Patent Application. The cover letter from Mr. McDermott requested that I sign the Declaration and return it to him, which I did.

3. I have now received a letter from Mr. McDermott, dated December 23, 1999 (copy attached), explaining that the Declaration was not for the Patent Application, but rather was for a parent application U.S. Serial No. 08/823,411 of which I am not a named inventor. A copy of application U.S. Serial No. 08/823,411 was included with Mr. McDermott's December 23, 1999 letter.
4. I have now read patent application Serial No. 08/823,411. I am not an inventor or co-inventor of patent application U.S. Serial No. 08/823,411. I signed the Declaration for patent application Serial No. 08/823,411 mistakenly believing that it was for the Patent Application. All of the individuals named in the Declaration are named inventors with me on the Patent Application, and I did not recognize that the title of the invention differed somewhat from that of the Patent Application and that the U.S. serial number recited in the Declaration differed from that of the Patent Application.
5. I am executing this Explanatory Declaration promptly upon being informed by Mr. McDermott of his error in including me on the Declaration.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

1/19/00

Ting Wang
Ting Wang

SENT BY: BANNER & WITCOFF

12-88-8 12:38PM :

BANNER & WITCOFF-

703 308 6916: # 2

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HATCH NO. B01

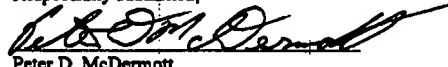
 Assistant Commissioner for Patents
 Washington, DC 20231
 Attention: Mr. H. Bernstein, Special Program Law Office

REQUEST FOR REVIEW OF FILE

Dear Sir:

As suggested by Mr. Bernstein of the Special Program Law Office during a telephone discussion earlier today, Applicant is submitting this Request that the Special Program Law Office review the file folder of the above-captioned patent application, particularly, the inventor declarations (CIP type) filed August 27, 1999. In that regard, Applicant wishes to thank Mr. Bernstein for his courteous and helpful discussion of this matter. As discussed, the issue fee for the subject application was just recently paid; then, within the last few days, Applicant came to believe that an error has likely occurred in the inventor declarations. Immediately upon recognizing this situation, Applicant contacted the Office of Petitions. At Applicant's request, the Office of Petitions, in coordination with the Special Program Law Office, is requesting the file to prevent the application from issuing until the file can be reviewed. Applicant is most appreciative of this assistance.

Respectfully submitted,



Peter D. McDermott
 Attorney for Applicant
 Reg. No. 29,411

Banner & Witcoff, Ltd.
 28 State Street, 28th Floor
 Boston, MA 02109
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent via facsimile at (703) 308-6916 on: December 7, 1999 to the attention of Mr. H. Bernstein, Special Program Law Office, Assistant Commissioner for Patents, Washington, DC 20231.


 Peter D. McDermott 12/7/99
 Date

FAX RECEIVED
 DEC 07 1999
 PETITIONS OFFICE

SENT BY: BANNER & WITCOFF

**2-88--8 :12:35PM :

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703 308 6916;# 1



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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mr. H. Bernstein Special Program Law Office	Peter D. McDermott
COMPANY:	DATE:
U.S. Patent and Trademark Office	December 7, 1999
FAX NUMBER:	TOTAL NO. OF PAGES:
(703) 308-6916	with cover, 2
RE:	OUR REFERENCE NO.:
Application No. 08/823,411	03259.02615
<i>If you do not receive all page(s) or have any problems receiving this transmission, please call:</i>	
NAME: Allison M. Larrow	PHONE: (617) 227-7111
COMMENTS:	

**PLEASE DELIVERY TO H. BERNSTEIN, SPECIAL
PROGRAM LAW OFFICE**

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